

REMARKS

Applicants have amended claims 1-5, 11, 23-26, 32 and have cancelled claims 12-21 and 33-44 as set forth above. Applicants note with appreciation the Office's indication that claims 22 and 28-31 are allowed, claims 11, 23-26, and 32 would be allowable if rewritten to overcome the objections. Additionally, Applicants note with appreciation the Office's suggestions for clarifying amendments to particularly point out and distinctly claim the subject matter in claims 1-5 and 7-10 to overcome the rejections under 35 U.S.C. 112, second paragraph, and place these claims in condition for allowance as well. In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The Office has objected to claims 2-5 and 23-26 because of minor typographical errors and to claims 3, 11, 24, and 32 because of a lack of clarity and precision. More specifically, the Office asserts claims 2-5 and 23-26 recite "m-factor" which should be " μ -factor." With respect to claim 3, the Office asserts the phrase, "wherein the determining an image quality value is based on a relationship between the determined m-factor and the at least one other quality factor, the image quality value being a substantial average of a minimum and a maximum value for the quality factor associated with the determined m-factor" lacks clarity and precision. The Office recommends the following language: "wherein determining the image quality value is based on a relationship between the determined μ -factor and the at least one other quality factor, the image quality value being a substantial average of a minimum and a maximum value for the at least one other quality factor associated with the determined μ -factor." Additionally, with respect to claim 11, the Office asserts the phrase the following recitation lacks clarity and precision, "wherein the evaluating further comprises comparing the image quality values of two or more of the color imaging devices against each other" lacks clarity and precision. The Office recommends the following language, "wherein the evaluating further comprises comparing the image quality value of the color imaging device against respective image quality values for two or more other color imaging devices." Further, with respect to claim 24, the Office asserts the phrase, "wherein the image quality processing system determines an image quality value based on a relationship between the determined m-factor and the at least one other quality factor, the image quality value being a substantial average of a minimum and a maximum value for the quality factor associated with the determined m-factor" lacks clarity and precision. The Office recommends the following language, "wherein the image quality processing system

determines the image quality value based on a relationship between the determined μ -factor and the at least one other quality factor, the image quality value being a substantial average of a minimum and a maximum value for the at least one other quality factor associated with the determined μ -factor.” With respect to claim 32, the Office asserts the phrase, “wherein the evaluation system further comprises comparing the image quality values of two or more of the color imaging devices against each other” lacks clarity and precision. The Office recommends the following language, “wherein the evaluation system further comprises comparing the image quality value of the color imaging device against respective image quality values for two or more other color imaging devices.”

As set forth above, Applicants have amended the claims in accordance with the Office’s suggestions. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw these objections to claims 2-5, 11, 23-26, and 32.

The Office has rejected claims 1-5 and 7-10 under 35 U.S.C. 112, second paragraph. With respect to claim 1, the Office asserts the claim language first recites “determining an image quality value ... from the spectral sensitivity curves,” then recites, “wherein determining an image quality further comprises determining a Universal Measure of Goodness factor based on the obtained spectral sensitivity curves, wherein the determining an image quality value is based on the Universal Measure Goodness factor and at least one other quality factor.” The Office asserts that to particularly point out and distinctly claim the subject matter, claim 1 should distinguish that determining the image quality value initially requires that the Universal Measure of Goodness factor be determined and secondly requires that the image quality value is based upon the initially determined Universal Measure of Goodness factor and at least one other quality factor. With respect to claims 3-5, the Office asserts the claim language first recites “determining an image quality value ... from the spectral sensitivity curves,” then recites, “wherein determining an image quality further comprises determining a μ -factor based on the obtained spectral sensitivity curves, wherein the determining an image quality value is based on the μ -factor and at least one other quality factor.” The Office asserts that to particularly point out and distinctly claim the subject matter, claims 3-5 should distinguish that determining the image quality value initially require that the μ -factor be determined and secondly require that the image quality value is based upon the initially determined μ -factor and at least one other quality factor.

As set forth above, Applicants have amended the claims in accordance with the Office's suggestions to particularly point out and distinctly claim the subject matter. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw these rejections of claims 1-5 and 7-10 under 35 U.S.C. 112, second paragraph.

The Office has rejected claims 43 and 44 under 35 U.S.C. 102(b) as being anticipated by Takahashi et al. Accordingly, Applicants have cancelled claims 43 and 44. In view of the foregoing cancellation, the Office is respectfully requested to reconsider and withdraw this rejection of claims 43 and 44.

The Office has objected to claims 11, 23 - 26, and 32, but has indicated these claims would be allowable if rewritten to overcome the objections. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the objection to these claims.

In view of all of the foregoing, Applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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